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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,457	03/04/2002	Christopher Gongolas	GONG 001	8570

7590 09/08/2004
MCCLUNGUYL
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EXAMINER	
NGUYEN, TAI T	
ART UNIT	PAPER NUMBER
2632	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/090,457

Applicant(s)

GONGOLAS, CHRISTOPHER

Examiner

Tai T. Nguyen

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 August 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4-6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 4 recites the limitation "the parking are" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Objections

4. Claims 21 and 25 are objected to because of the following informalities:

Regarding claim 21, applicant should clarify what is intended by "at least one curb".

Regarding claim 25, applicant should clarify what is intended by "any invention disclosed herein".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 8, 11-12, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson, Sr. (US 5,947,635).

Regarding claims 1 and 8, Wilson, Sr. discloses a signage system (figure 5) for a parking lot comprising visually-identifiable boundary markers, the signage system comprising:

sign means at the boundary of the markers (figures 1 and 5), wherein the sign means being visually viewable by an occupant of a vehicle adjacent the boundary markers (col. 3, lines 54-57).

Regarding claim 2, Wilson, Sr. discloses the sign means being within the boundary markers (figure 5).

Regarding claim 3, Wilson, Sr. discloses the sign means includes a signage of a handicap sign that being of a trademark (figure 5).

Regarding claims 11-12, Wilson, Sr. discloses the sign means being a traffic marking tape (figure 5) being applied to a pavement thereon (col. 3, lines 27-42).

Regarding claim 21, as shown in figure 5, Wilson, Sr. discloses the marker includes at least one curb.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson, Sr. (US 5,947,635).

Regarding claims 9-10, Wilson, Sr. discloses the instant claimed invention except for the traffic area being a roadway or a crosswalk. Since Wilson, Sr. discloses the signage being used in the parking lot, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the signage at a roadway or crosswalk for the purpose of displaying message/information to a person driving/walking by because it is just an obvious design choice.

9. Claims 4-5, 7, and 13-19, and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson, Sr. (US 5,947,635) in view of Meyvis et al. (US 5,565,843).

Regarding claims 4-5 and 7, Wilson, Sr. discloses the instant claimed invention except for the signage system including an interaction apparatus at the traffic area for providing communication between a person at the traffic area and an entity remote from the traffic area and a remote control apparatus for selectively activating the interaction apparatus. Meyvis et al. teach a garage door message display system (figure 1)

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including an interaction apparatus in the form of an electronic display (22) for providing communication between a person/driver in the traffic area, wherein the system further includes a remote controller (18) for selectively activating the interaction apparatus (figure 1; col. 2, line 43 through col. 3, line 67). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the interaction apparatus as taught by Meyvis et al. in the system as disclosed by Wilson, Sr. for the purpose of providing message communication to the person at the parking area and the entity remote from the parking area. None of the references above teach an entity being a live person remote from the traffic area. Since Wilson, Sr. disclose the sign means being displayed in the parking lot, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to know that the sign means will be seen by any persons proximity therefrom.

Regarding claims 13-14 and 16, refer to claims 4-5 and 7 above.

Regarding claim 15, Meyvis et al. teach the electronic display (22) being activated in response to the activation from a wall switch (19, figure 1).

Regarding claims 17-19, since Meyvis et al. teach the electronic display (22) being capable of displaying alphanumeric and other graphical symbols (col. 3, lines 11-16). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to know that the electronic display (22) being capable of displaying a static image, a series of images presented sequentially, or a series of moving images because the electronic display being controlled by a microprocessor-based message generator system (24).

Regarding claim 23, Wilson, Sr. discloses a signage system (figure 5) for a parking lot comprising visually-identifiable boundary markers, the signage system comprising:

sign means at the boundary of the markers (figures 1 and 5), wherein the sign means being visually viewable by an occupant of a vehicle adjacent the boundary markers (col. 3, lines 54-57).

the sign means being a traffic marking tape (figure 5) being applied to a pavement thereon (col. 3, lines 27-42).

Wilson, Sr. discloses the instant claimed invention except for the signage system including an interaction apparatus at the traffic area for providing communication between a person at the traffic area and an entity remote from the traffic area and a remote control apparatus for selectively activating the interaction apparatus. Meyvis et al. teach a garage door message display system (figure 1) including an interaction apparatus in the form of an electronic display (22) for providing communication between a person/driver in the traffic area, wherein the system further includes a remote controller (18) for selectively activating the interaction apparatus (figure 1; col. 2, line 43 through col. 3, line 67). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the interaction apparatus as taught by Meyvis et al. in the system as disclosed by Wilson, Sr. for the purpose of providing message communication to the person at the parking area and the entity remote from the parking area.

Regarding claim 24, Wilson, Sr. discloses a signage system (figure 5) for a parking lot comprising visually-identifiable boundary markers, the signage system comprising:

sign means at the boundary of the markers (figures 1 and 5), wherein the sign means being visually viewable by an occupant of a vehicle adjacent the boundary markers (col. 3, lines 54-57).

Wilson, Sr. discloses the instant claimed invention except for the signage system including an interaction apparatus at the traffic area for providing communication between a person at the traffic area and an entity remote from the traffic area and a remote control apparatus for selectively activating the interaction apparatus. Meyvis et al. teach a garage door message display system (figure 1) including an interaction apparatus in the form of an electronic display (22) for providing communication between a person/driver in the traffic area, wherein the system further includes a remote controller (18) for selectively activating the interaction apparatus (figure 1; col. 2, line 43 through col. 3, line 67). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the interaction apparatus as taught by Meyvis et al. in the system as disclosed by Wilson, Sr. for the purpose of providing message communication to the person at the parking area and the entity remote from the parking area.

Regarding claim 25, refer to claim 23 above.

10. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson, Sr. (US 5,947,635) in view of (Yoo et al. (US 6,107,942)

Regarding claim 22, Wilson, Sr. discloses the instant claimed invention except for camera means at the traffic area. Yoo et al. teach a parking guidance and management system comprising a camera (23, figure 6) for monitoring each of a parking space in a entire parking facility (col. 2, line 66 through col. 3, line 22). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the camera as taught by Yoo et al. in the system as disclosed by Wilson, Sr. for the purpose of providing image indicating the occupied of the parking facility.

11. Claims 6 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson, Sr. (US 5,947,635) in view of Meyvis et al. (US 5,565,843) as applied to claim 4 above, and further in view of Dee et al. (US 6,312,152).

Regarding claim 6, Meyvis et al. disclose the visual display (22) being mounted on a power-operated garage door operator (figure 1) but fail to disclose the interaction apparatus being power by a solar power means. Dee et al. teach a parking meter (figure 2) being power by a solar power means (38, figure 2, col. 6, line 66 through col. 7, line 4). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the solar power means as taught by Dee et al. in the system as disclosed by Wilson, Sr., as modified for the purpose of providing the necessary and sufficient power in order to operate the system.

Regarding claim 20, refer to claim 6 above.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai T. Nguyen whose telephone number is (571) 272-2961. The examiner can normally be reached on Monday-Friday from 7:30am-5:00pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



September 1, 2004
Tai T. Nguyen
Examiner
Art Unit 2632